

Central Valley Regional Water Quality Control Board

FILE

7 February 2014

Mr. Mark Larsen  
Kaweah Basin Water  
Quality Association  
2974 North Farmersville Blvd.  
Farmersville, California 93223

**CONDITIONAL NOTICE OF APPLICABILITY (NOA) ISSUED TO THE KAWEAH BASIN  
WATER QUALITY ASSOCIATION (COALITION) TO SERVE AS THE THIRD-PARTY UNDER  
GENERAL ORDER R5-2013-0120**

On 17 October 2013, the Kaweah Basin Water Quality Association (Coalition) submitted an application to serve as the third-party entity to represent owners and operators of irrigated lands located within the Coalition boundary subject to Waste Discharge Requirements General Order R5-2013-0120 for Growers within the Tulare Lake Basin Area that are Members of a Third-Party Group (General Order). Central Valley Regional Water Quality Control Board staff (Staff) reviewed the application and concluded that the proposed boundary of the Coalitions coverage area was insufficient and that modifications were needed prior to the approval of the application. On 13 December 2013, Staff met with you to discuss the boundary issues and propose a more inclusive alternative boundary.

On 10 January 2014, you submitted a letter stating that the Coalition would provide an opportunity for all owners and/or operators of irrigated lands to fulfill their regulatory obligations through membership in a third-party group by allowing parcels outside the Coalition boundary (see supplemental coverage area in enclosed Figure 1, Boundary Map) to enroll in the Coalition.

Section VIII.A. of the General Order states in part that the Executive Officer will consider whether the third-party has a governance structure that includes a governing board of directors composed in whole or in part of Members, or otherwise provides Members with a mechanism to direct or influence the governance of the third-party through appropriate by-laws.

Based on Staffs review of your application, your Coalition meets the requirements of the General Order to serve as a third-party entity provided that;

1. all Members with enrolled parcels are provided a mechanism to direct or influence the governance of the third-party through appropriate by-laws, and



KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

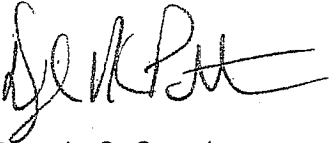
1685 E Street, Fresno, CA 93706 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

2. you allow current and future owners and/or operators of irrigated lands to enroll parcels within your proposed boundary and within the supplemental coverage area identified in enclosed Figure 1, Boundary Map and consider these Member lands when addressing the requirements of the General Order.

This letter serves as a conditional Notice of Applicability and approval of the Kaweah Basin Water Quality Association Coalition to serve as a third-party entity under the General Order provided your coalition accepts the conditions stated above. We believe your Coalition is well suited to meet the requirements of a third-party and to assist your members in complying with the General Order. We look forward to working with you and your members to protect water quality.

If these conditions are unacceptable, please notify the Regional Water Quality Control Board within 14 days so we may proceed with identifying alternatives that would offer all growers within the area the opportunity to attain coverage under the Long Term Irrigated Lands Regulatory Program.

If you have questions regarding this letter, please contact David Sholes at (559) 445-6279 or [dsholes@waterboards.ca.gov](mailto:dsholes@waterboards.ca.gov).



~~For~~ Pamela C. Creedon  
Executive Officer

Enclosures: Figure 1, Boundary Map  
Table of Compliance Dates

cc: Joe Karkoski, Supervising Engineer, Irrigated Lands Regulatory Program

FIGURE 1, MAP OF THE KAWEAH BASIN WATER QUALITY ASSOCIATION BOUNDARY

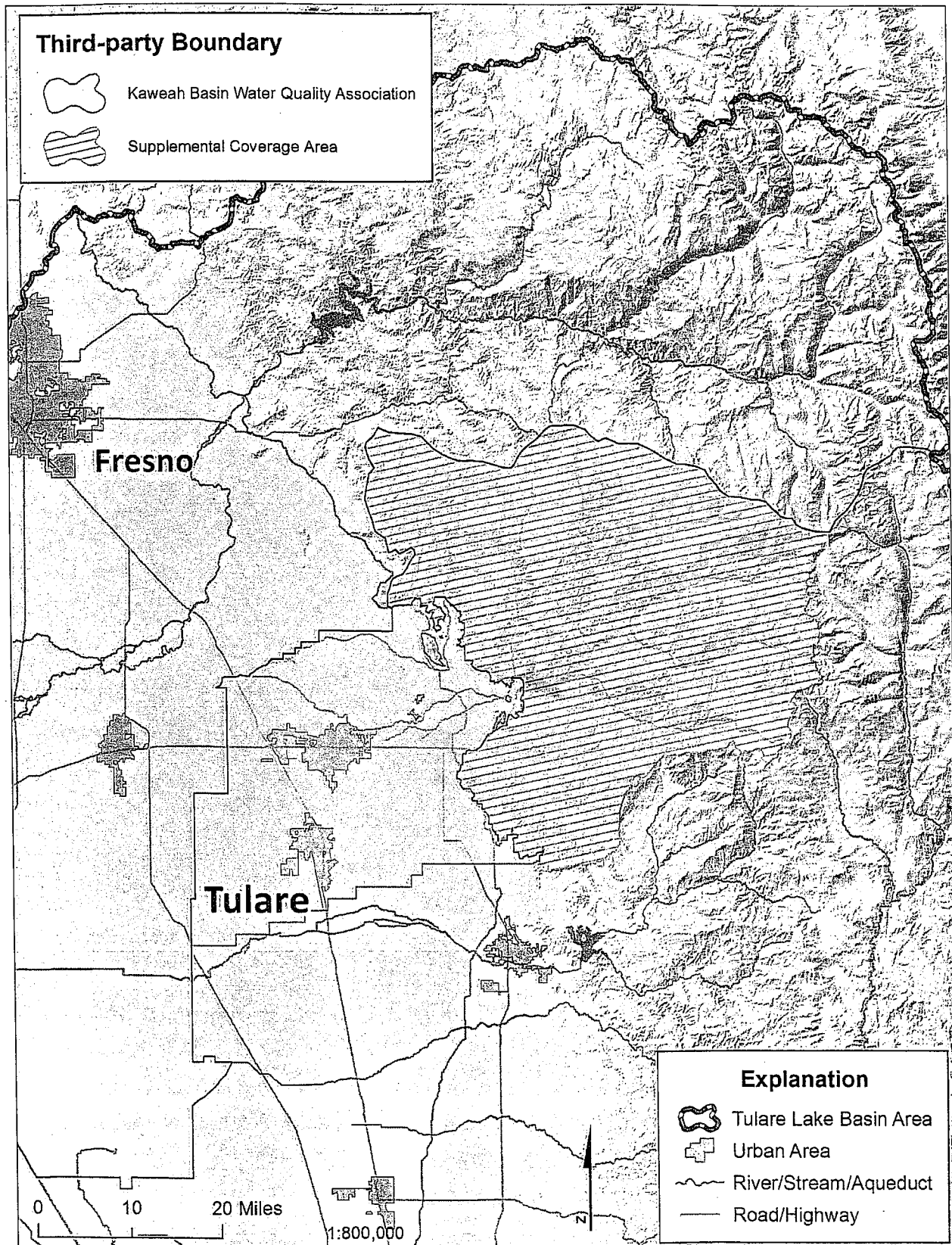


TABLE OF COMPLIANCE DATES ASSOCIATED WITH ISSUANCE OF THE NOA

Due Date*	Requirements
10 March 2014	Provide Notice of Confirmation to Members
7 May 2014	Outline for Groundwater Assessment Report
6 August 2014	Notice of Confirmation Received from Current Members Surface Water Monitoring Plan
7 August 2014	Non-enrolled growers apply directly to Regional Board and Third-party
4 September 2014	Membership List
7 February 2015	Groundwater Quality Assessment Report (GAR) Sediment Discharge and Erosion Assessment Report (SDEAR)
1 Year from approval of GAR	Groundwater Quality Trend Monitoring Workplan Management Practice Evaluation Workplan (third-party only option)
1 March 2015	Farm Evaluation Template (All High Vulnerability areas) Nitrogen Management Plan Template (Large Farms in High Vulnerability areas)
180 Days from approval of SDEAR	Sediment and Erosion Control Plan Template (Large Farms)
2 Years from approval of GAR	Management Practice Evaluation Workplan (group option)
1 Year from approval of SDEAR	Sediment and Erosion Control Plan Template (Small Farms)
1 March 2016	Farm Evaluation Template (Large Farms in Low Vulnerability areas)
1 March 2017	Nitrogen Management Plan Template (Small Farms in High Vulnerability areas and all farms in low vulnerability areas)
1 March 2018	Farm Evaluation Template (Small Farms in Low Vulnerability areas)

\*Based on the effective dates following the issuance of NOA as specified in the Order. The NOA issue date is 7 February 2014.